

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENISE POLLINGTON,

Plaintiff,

Case No. 16-10812

v.

Hon. John Corbett O'Meara

G4S SECURE SOLUTIONS (USA),
INC., and KEVIN BAKER,

Defendant.

**ORDER OVERRULING DEFENDANT'S OBJECTIONS
TO MAGISTRATE'S NOVEMBER 21, 2016 ORDER**

Before the court are Defendant's timely objections to Magistrate Judge David R. Grand's November 21, 2016 order granting in part and denying in part Plaintiff's motion to compel. See Fed. R. Civ. P. 72(a). Defendant has also filed a motion to stay the November 21, 2016 order.

The court may modify or set aside any portion of the magistrate judge's order that is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A). See also Fed. R. Civ. P. 72(a). "A finding is 'clearly erroneous' when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." Anderson v. City of Bessemer City, 470 U.S. 564, 573 (1985) (quoting United States v. U. S.

Gypsum Co., 333 U.S. 364, 395 (1948)). The court may not disturb the magistrate's factual findings "even though convinced that had it been sitting as the trier of fact, it would have weighed the evidence differently." Id. The court allows the magistrate's legal conclusions to stand unless they are "contrary to law." Gandee v. Glaser, 785 F. Supp. 684, 686 (S.D. Ohio 1992) aff'd, 19 F.3d 1432 (6th Cir. 1994).

Having reviewed the record and Defendant's objections, the court finds that Magistrate Judge Grand's November 21, 2016 order is neither clearly erroneous nor contrary to law.

Accordingly, IT IS HEREBY ORDERED that Defendant's objections (Docket No. 25) are OVERRULED.

IT IS FURTHER ORDERED that Defendant's motion to stay (Docket No. 26) is DENIED.

s/John Corbett O'Meara
United States District Judge

Date: December 13, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, December 13, 2016, using the ECF system.

s/William Barkholz
Case Manager